

FORM PTO-1390 (REV. 12-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 540608-2002
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known see 37 C.F.R. 1.5) 10/089201
INTERNATIONAL APPLICATION NO. PCT/EP00/09529	INTERNATIONAL FILING DATE 28 SEPTEMBER 2000	PRIORITY DATE CLAIMED 28 SEPTEMBER 1999	
TITLE OF INVENTION SILENCER			
APPLICANT(S) FOR DO/EO/US Udo GÄRTNER and Dr. Anton WOLF			

Applicants herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - ☒ is attached hereto (required only if not communicated by the International Bureau).
 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - ☒ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☒ have not been made and will not be made.
- ☐ A English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A **FIRST** preliminary amendment.
- ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
- ☐ A substitute specification.
- ☐ A change of power of attorney and/or address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information:

Form PCT/IPEA/416, 409, Form PCT/ISA/210

EXPRESS MAIL

Mailing Label Number: **EV073700511US**

Date of Deposit: **March 27, 2002**

I hereby certify that this paper or fee is being deposited with the United States Postal Service

"Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents and Trademarks, Box PCT Washington, DC 20231.

Edward Nay
(Typed or printed name of person mailing paper or fee)

[Signature]
(Signature of person mailing paper or fee)

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21. <input checked="" type="checkbox"/> The following fees are submitted				CALCULATIONS PTO USE ONLY																											
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1040.00 International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International search fee (37 CFR 1.445(a)(2)) paid to USPTO\$740.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">ENTER APPROPRIATE BASIC FEE AMOUNT =</td> <td style="width:50%;">\$ 890.00</td> </tr> <tr> <td>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</td> <td>\$</td> </tr> <tr> <td> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:40%;">RATE</th> </tr> <tr> <td>Total Claims</td> <td>7 - 20 =</td> <td></td> <td>x \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td></td> <td>x \$84.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$280.00</td> </tr> </table> </td> <td>\$</td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$</td> </tr> </table>		ENTER APPROPRIATE BASIC FEE AMOUNT =	\$ 890.00	Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:40%;">RATE</th> </tr> <tr> <td>Total Claims</td> <td>7 - 20 =</td> <td></td> <td>x \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td></td> <td>x \$84.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$280.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	7 - 20 =		x \$18.00	Independent Claims	1 - 3 =		x \$84.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$	TOTAL OF ABOVE CALCULATIONS =			\$
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a. <input checked="" type="checkbox"/> Two checks in the amount of \$930.00 to cover the above fees are enclosed.				b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.																											
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0320</u> . A duplicate copy of this sheet is enclosed.																															
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																															
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																															
SEND ALL CORRESPONDENCE TO: Mark W. Russell, Esq. FROMMER LAWRENCE & HAUG LLP 745 Fifth Avenue New York, NY 10151				_____ SIGNATURE Mark W. Russell _____ NAME 37,514 _____ REGISTRATION NUMBER																											